

WARRICK COUNTY AREA PLAN COMMISSION

Regular meeting held in Commissioners Meeting Room,
Third Floor, Historic Court House,
Boonville, IN

Monday, February 09, 2015, 6:00 PM

PLEDGE OF ALLEGIANCE: A moment of silence was held followed by the Pledge of Allegiance.

MEMBERS PRESENT: Guy Gentry, President, Jeff Valiant, Vice President, Amanda Mosiman, Brad Overton, Bill Byers, Richard Reid, Jeff Willis, arrived at 6:05.

Also present were Morrie Doll, Attorney; Sherri Rector, Executive Director; Molly MacGregor, and Jamie Key, Staff.

The President apologized for missing the last meeting.

MEMBERS ABSENT:

Roll call was taken and a quorum declared present.

MINUTES: Upon a motion made by Brad Overton and seconded by Jeff Valiant the Minutes of the last regular meetings held January 12, 2015 were approved as circulated.

The President explained the rules of procedure.

REZONING PETITION:

PC-R-15-02 Petition of Michael Heuring To rezone 1.9 acres located on the S side of 2nd St. a distance of 280 ft. W of the corner formed by the intersection formed by 2nd St. and Church St. from "R-1A" One Family Dwelling to "A" Agriculture. Skelton Twp. *Complete legal on file.*

Michael Heuring and Chad Wagner were present.

The President called for a staff report.

Mrs. Rector said we have all return receipts except for one green card from Norfolk Southern Railroad but we do have all white pay receipts showing they were mailed in time and to the correct addresses. She said, the property is 1.9 acres that they are requesting to rezone. She said the comprehensive plan shows no plan for this area and the existing land use is Agriculture. She added that the surrounding land use of the property north and east are zoned "R-1A" One Family Dwelling with residences and the properties south and west are zoned "A" Agricultural being farm ground. Mrs. Rector said the property is mainly out of the flood plain with some being in the "A" flood plain, but will not be building sites. She said the property fronts on 2nd street in the town of Tennyson. She said the stated use is Agricultural and they want to rezone and add the

property to the west to file a minor subdivision which is not allowed in a residential zoning, only in "A" and "Con". She said they also need the property incorporated into the future subdivision to have road frontage. She added that the town of Tennyson did not want to extend 2nd street any further than it already is. She said they met with us a few times in site reviews and this was the decision that needed to be done for them to move further.

The President asked Michael Heuring and Chad Wagner if they had anything to add to the staff report.

Chad Wagner said he just wanted to make it clear that the procedure they are going for is a parcelization.

The President asked for any other questions from Board members.

The President asked if the initial plans are to make a couple lots out of the property at this time.

Chad Wagner answered that it is just one; he said there is one single residence to the west that will be cut out of the parent parcel. He said that is approximately 70 acres, and they are going to cut out 2 ½ acres as a Parcelization and the remainder will stay as farm ground. He added that there is a substantial area of flood plain on it.

The President asked for any other questions from the Board. Being none he asked for any remonstrators for or against the project.

Shirley Melton said that it is her property they will be taking acreage out of and she disagrees with this.

Her grandson was with her and added that Shirley believes that there will be 1.9 acres out of her property. He said he doesn't think that there is a good conveyance on the map they received

Shirley Melton said she is afraid that this will cause washing of her hill and she does not want her hill side washing and causing problems. She said if they are going to do this, she doesn't mind being a good neighbor but she would like it to be stabilized so the hill doesn't wash.

The President asked where her property was exactly.

Mrs. Rector asked for her name.

Shirley Melton said that she would have liked to have gotten some maps or something when she got her letter. She said all she got was a letter with some sketches on it.

Mrs. Rector asked for her last name again.

Shirley replied back and said Melton.

Chad Wagner said her parcel lies on the north side of North Polk Southern Railroad.

The President asked if that was across the track.

Chad Wagner said yes.

Mrs. Rector said that her property is not adjacent.

Chad Wagner agrees and said it's on the other side of North Polk Southern Railroad.

Chad Wagner explained to Shirley and her grandson where her property is and that this rezoning will not affect her property at all.

Conversation continued between the three of them.

Chad explained that the only thing they are doing is cutting out a piece that will be sold.

Shirley Melton asked Chad why they are going to sell it.

Mrs. Rector asked Shirley Melton if she sees now that the property is not a part of her property and that it's up north on the other side of the railroad tracks from what they are doing.

Shirley Melton said that the maps aren't very clear.

The President asked Shirley Melton if she had any more questions or concerns.

Shirley Melton asked what they are planning to do with the property.

Mrs. Rector replied that they are going to divide the property into two parcels, cut the house out, and the remainder will remain "A" Agricultural for farming.

Shirley Melton asked why they are going to take the house away.

Michael Heuring said he is not actually taking the house away. He said he bought the entire Saltzman Farm and he wishes to sell the house. He added that he already has a house that he lives in and he just wants the farm land.

Shirley Melton asked what he plans to do with the house. She said are you going to put it on a conveyer and pull it out of there, are you going to burn it down.

Michael Heuring said no, he is selling it.

The President said that is why this has to be done, so that there is road frontage to the house.

Shirley Melton asked if they are going to drive to it down a driveway and live there.

Michael Heuring said yes, the person he is selling the house to will live in the house.

Shirley Melton said, so there will be a house there but you are going to call it agricultural.

Michael Heuring said there is already a house there.

Shirley Melton asked why they would call it agricultural and not a neighborhood house.

Mrs. Rector said that you can have a house in residential zoning. She said there are thousands of homes in agricultural zoning.

Shirley Melton asked if you would pay more taxes if you had a neighborhood house.

Mrs. Rector replied that you are taxed by the use of the property, not by the zoning.

Another family member from the crowd went up and told Mrs. Melton that this will not concern her or affect her in any way.

Shirley Melton said I guess go ahead and do it then. She said that Warrick County is supposed to pay more taxes and to me I'm losing money.

The family member said thank you for your time.

The President asked for any other remonstrators for or against this project. Being none he asked for any other questions from the Board. Being none he entertained a motion.

Richard Reid made a motion to approve a motion to give positive recommendation for PC-R-15-02. The motion was seconded by Jeff Willis and unanimously carried.

The President said the next two items are somewhat together so they will be addressed at the same time.

Richard Reid excused himself at 6:15 p.m. due to him being a commissioner and owner of property, also being a conflict.

PC-R-15-03 Petition of Renewable Resources LLC. (Lessee) By Jordan Aigner, Mbr. Owner: Warrick County Commissioners by Don Williams, Pres. To rezone 209 acres located on the W side of Pelzer Rd. approximately 2680 ft. N of the intersection formed by Pelzer Rd. (W 50) and Mt. Gilead Rd. (S 150) from "M-2" General Industrial to "M-3" Solid Waste Disposal Facility District. Boon Twp. *Complete legal on file.*

PC-R-15-04 Petition of Warrick County Solid Waste District by Scott Anslinger Supt. Owner: Warrick County Commissioners by Don Williams, Pres. To rezone 49 acres located on the W side of Pelzer Rd. approximately 2680 ft. N of the intersection formed by Pelzer Rd.

(W 50) and Mt. Gilead Rd. (S 150) from “M-2” General Industrial to “M-3” Solid Waste Disposal Facility District. Boon Twp. *Complete legal on file.*

Jordan Aigner with Renewable Resources, Scott Anslinger with Warrick County Solid Waste District, and Don Williams, President of the Warrick County Commissioners were present.

The President called for a staff report.

Mrs. Rector said that both notices for both rezoning applications were mailed together. She said we have all white pay receipts and they were mailed January 16, 2015. She said we are missing 3 return receipts. She said the lot size of PC-R-15-03 is 209 acres and the Comprehensive plan projects this area to be Industrial. She said the existing land use is the Warrick County Landfill. Mrs. Rector stated that most of the surrounding properties were zoned “CON” Recreation and Conservancy District with family dwellings. She said there is one piece of “M-2” General Industrial District to the east with a salvage yard and one piece of “R-1” One- Family Dwelling on the west side with one family dwellings, and some “A” Agricultural zoning to the west with one family dwellings and farm ground. She said there is no flood plain and the street access is off of Pelzer Road. Mrs. Rector stated that the applicants stated use is a recycling and waste processing facility. She added that this requires the “M-3” zoning. Mrs. Rector said that PC-R-15-04 has 49 acres and a comprehensive plan to be a landfill and everything is the same as PC-R-15-03. She said the property to the north and east is zoned “CON” Recreation and Conservancy District with one family dwelling. The property to the north and east are zoned “CON” Recreation and Conservancy District with one family dwelling. The rest of the surrounding property to the south and west are zoned “M-2” General Industrial being the Warrick County Landfill. She said there is no flood plain on this piece of property either and the access is Pelzer Road. She said the stated use is County Recycling Center. She said you have an email in your packets from Mr. Anslinger, the superintendent of the Warrick County Recycling, however she will have him explain, rather than reading the email.

The President asked for any anything to add to the staff report.

Jordan Aigner said no, but they would be happy to answer any questions.

Scott Anslinger said the district has been operating at this location for many years. He said at first it was a landfill, and then went into a containerized transfer station as it is today. He said that it’s continuously operating at this time. He said that they were advised that the “M-2” zoning that they currently had needed to be upgraded for the type of work they are doing. He said consequently they wanted to make sure that they went for the new zoning. He said the operations will not change what they do except for the addition of a processing center that is located further north on top of the hill. He said that center will be designed to accept recyclables from all over the district, from the all drop off centers, all recycle programs. He said it’s designed to collect as many recyclables as they can under a single stream collection, bring them back to that facility and that is where they will sort the recyclables into their individual commodities and then in turn to process them to bail them and prepare for shipping for someone that will purchase those commodities at the highest possible price. He said that is the district portion of this. He added

that at the same time this is going on Mr. Aigner and his group is going to construct the first phase of their waste energy facility. He said this is where all the trash within Warrick County will come in and be dropped into a collection area. He said they will then sort the material, remove the organics from the inorganics. He said the inorganics will be sent over to the recycling center to be processed and the organic will be sent in a truck to the landfill, much like what is being done now with the existing processes that are there. He said in a basic nut shell this is what the whole process is all about.

Mrs. Rector added that they did come to site review on obtaining the Improvement Location Permit. She said back in the 80's it was rezoned to "M-2" for the landfill and we did not have a "M-3" Solid Waste Disposal District, so therefor since they are expanding they want to come in compliance with the County Ordinance and that is why they are doing the rezoning now. She said any further expansion in the "M-3" district, they would have to amend their application and give notice again to the adjacent property owners. She said they would not be able to just go out there and start popping up buildings all over the place. She said it will be as shown on the plot plan.

Brad Overton asked Jordan Aigner to explain the process that he will be doing in more detail.

Jordan Aigner said that the goal of working with the district, is to capture as much recycle materials that are currently being thrown away. He said one part of that is the curb side program, where they are going to bring all the recyclables in a commingled single stream can, such as plastic, glass, and everything we consider recyclable. He said what that does allow for is people that don't recycle and put something that they really shouldn't be in the trash. He said that extra percentage that is in there we are going to go through, and it's called a murph, which is a material recovery facility. He said they will get the remaining recycle materials out of that and then redirect it over to the county. He said so we will probably get about 95% of what all the recycle materials that our County has in doing that.

Amanda Mosiman asked the estimations they are currently capturing.

Scott Anslinger said 12 to 15%.

Jordan Aigner said that is about right and that it would be significantly increased.

Brad Overton asked if they are going to take the existing trash that is going there now and then sort through it.

Jordan Aigner said yes and it is their responsibility to take it off to a landfill.

The President asked if the existing drop off will still be there and operate the way it has been.

Jordan Aigner said that is correct.

Amanda Mosiman said that they are just adding the transfer facility on the North of where that is now.

Jordan Aigner said yes, both facilities.

Brad Overton asked about the additional traffic.

Scott Anslinger said it would stay the same until the facilities are up and operational. He said when that happens the commodities will be loaded into semi-trailers and they will be taken out. He said they have talked to Bobby Howard about the roadway surfaces and if they are capable of handling the materials, he said that is not a problem. He said that Bobby did make some recommendations of things he would like to see done as they move forward. He said that he wanted to see shoulders on that road to make it a little safer for people traveling on that road.

Brad Overton said the shoulders would be great. He added that there is still always that issue that the road seems to attract trash before it gets to the landfill.

Scott Anslinger said that another important part to also know within the plans is that any shipping or anything being removed out of that facility will operate like it does now. He said there is a fixed window, they will not be shipping at night, or having big trucks come in at night. He said that it will all occur on the same schedule they have now between 8-3 or 8-5. He said there could be a little variation. He added that there should be no disruption with the traffic at night that will cause concerns for the neighbors.

The President asked if all the sorting with the new facility will happen inside the building.

Scott Anslinger said that is correct and will be a day shift operation as well.

Jordan Aigner said that his facility will be the same. He said they both are enclosed buildings and you will not see bags or anything flying around. He said it has to be inside the building, contained, with the doors closed at night. He said there are further permits that he would have to get with IDEM and that it will all be in compliance with IDEM

Brad Overton said this is not your intention but wants to know if the facility is able to take trash and turn it into a traditional landfill.

Jordan Aigner said that the current landfill is enclosed.

Brad Overton said that he thought this might be some of the peoples concern.

Scott Anslinger said they are not planning on reopening the landfill. He said at this time if there is anything that needs taken away that there are a number of landfills in the region that they could transport it to, like they are doing now. He said generally they go to Blackfoot Landfill in Winslow or they use the transfer station at Boonville New Harmony Road.

Brad Overton said that he believes that will address some of the audiences questions and he appreciates the answer.

Jordan Aigner said the purpose of the project is that currently the county is losing a lot of revenue on these recycling materials and cost a lot to the people of Warrick County to service. He said that the revenue currently goes somewhere else and that the overall goal is that now it would go to the district, and benefits the residence of Warrick County and reduce taxes.

The President asked for any more questions from the Board. Being none he asked for any remonstrators for or against the project.

Rhonda Laughlin lives on 966 Mt. Gillead Road and her question is the noise level and if they are putting in an incinerator. She said she is concerned about the air pollution.

Jordan Aigner said that he has to address all of this with IDEM and all noise levels has to be below what is accepted for a normal work place. He said it will be a lot like it is now and that there will be a loader going back and forth and you may hear the back up on it. He said they aren't anticipating any loud noises but machinery moving around.

Rhonda Laughlin asked if it is day shift and if they will have an incinerator.

Jordan Aigner said correct and they will not have an incinerator. He said they will have processing equipment that will be taking the waste and sort everything out. He said that is indoors and is sound proof. He said they will keep the doors shut as much as possible but with shipping and receiving it will be open at times.

Rhonda Laughlin said thank you.

The President asked about the lighting on the outside of the building.

Jordan Aigner said they have exterior wall packs on the wall and they will be contained. He said security is something you have to have, but they plan to have them on the rotating heads and they will make sure to not have them pointed at anyone's house. He said if anyone does have problems they can adjust the lights.

Scott Anslinger said it will be like Chandlers facility. He said that was one of the concerns there and they have the lights there pointing at the building and they also have timers so they don't disrupt neighbors.

Cathy Scherzinger asked if there will be a lot more trucks and if there will be a lot more trash because there is a ton of trash now.

Jordan said that we have to monitor the truck traffic as we go. He said that they do not expect it to be any different than it is now. He said that in the future they hope to be able to pick up more recyclables (which is a good thing). He said this could cause more traffic but this is why they

addressed Bobby Howard and if there is more traffic then they will have to upgrade those roads to fit the traffic patterns. He said they could always come back and talk to Bobby when the facility is up and running and he will make sure and tell us what we need to do.

Scott Anslinger addressed the trash and said that unfourtunately there has been a lot of high wind events and that is causing trash to blow.

The audience said that is not the problem and everyone was talking at once.

Sherri Linville said that she lives right next door to the landfill and that with the new building they are getting closer to her home. She said the trash is the problem, she said it's embarrassing to invite people over to your home. She said no one is out there cleaning it up. She added that they are paying for it and cleaning it up. She said her question is that she wants to know how they are going to deal with this and get this cleaned up.

The President said that he will let Scott address this question. He added that his son lives in that neighborhood and he knows what is out there. He said something needs to be done and maybe that is the Commissioners or Solid Waste.

Jordan Aigner said that he can add this to his report to IDEM. He said that they will have their numbers and the districts number, and now when it's bad you can call and it will be our responsibility to pick it up.

Scott Anslinger said he was referring to the trash blowing and that it gets bad out there sometimes. He said that this is tough to control and as for the other stuff he apologizes and was not aware of it. He also said to call him personally in the office 897-6210 ext. 3.

Sherri Linville asked if they will be washing out the building to where it will come out onto the soil.

Jordan Aigner said no they have to have concrete and has to go through a retention system all in concrete areas. He said it will not be released out to the soil.

Sherri Linville said she was concerned due to the pits they fish in.

Jordan Aigner said they are not allowed to do that and that IDEM is very strict on their rules and procedures.

The President asked if they are going to be maintaining the existing entrance or will there be additional entrances.

Jordan Aigner said there will be one additional entrance and that will be at the top of the roadway.

The President said that will be for the new facility. He asked if the existing will remain.

Scott Anslinger said they will stay there.

The President asked if the fence goes completely around the property. He asked if it catches any blown wind events.

Jordan Aigner said no it does not go all the way around.

Scott Anslinger said that the current fence doesn't and they have talked about securing the site better. He added that as the site gets bigger there is access to people that there should be and so they plan to secure this they just haven't completely figured out how this will be down yet. He said the fence does help.

Brad Overton asked Scott if he was planning on bringing any trash outside of Warrick County.

Scott Anslinger said at this point of time it will only be Warrick County.

The President said there will be a difference. He said right now the recyclables are picked up and taken directly away, and now they will be picked up and brought to us to be sorted.

Scott Anslinger said that is correct and he added that Saturday was the most busy you will ever see that site and that's because of all the people coming to get rid of the materials. He said during the week we don't see that high of a load, but we may see an increase in some of the haulers traffic that comes in and brings materials to the site. He added that the biggest difference in the two is that the stuff they are bringing to the site is enclosed so nothing can fall out and everything is dumped inside. He said what they are seeing is guys driving down the highway, trucks are overloaded and rather than him stopping and getting it he keeps driving and the next car hits it going by, which causes a lot of trash to be everywhere.

The President asked for any other remonstrators or questions.

Lisa Key at 488 S. Pelzer Road said she also wanted to address the issue of the trash on the roads. She shows her concern about the trash along with others and adds that she also had a question about the location of the exit and entrance and it's safely. She also said there is a red line on the roadway. She said there is a red paint spot that she believes to be a property line they have drawn and a red flag across the road. She said according to her deed and plat book page they own a tiny portion of the west side of the road. She said if that marking is a property line it is coming into the tip of land she owns.

Jordan Aigner mentioned the trash concern. He also said the location for the pull out is at the top of the hill, south of the curve. He said they will be at the top of the hill where they can see both ways for safety. He added that it can be used as an entrance also but the other entrances will still be there. He said its located there where there was that big storm and they brought all of the branches and everything. He said there is a huge pile of chipping there.

Jordan Aigner showed Lisa Key on a drawing what he was talking about. He also added that her concern of being on their property, that he has a survey done on the property owned by the landfill and he can give her a copy of that. He told her that she could have her surveyor look at it and compare it to her deed. He said they could talk if they need to.

Lisa Key asked for a copy of this.

Jordan Aigner said he can give her a copy of everything, and it will have a lot more detail than anything he has now.

Lisa Key said it is not an urgent need since they aren't building anything further north but they would like to know for the future.

Jordan Aigner said to keep in mind that there are a lot of utility locates out there. He said sometimes utility companies put different stuff down on the ground.

Lisa Key said these are bright orange/red markings.

Jordan Aigner said that orange is typically telephone and that their surveyor will typically use pink.

Randall Woolsley had a question about the organic waste they say will be taken away. He asked down the road if they have plans to put a landfill there.

Jordan Aigner said no. He said the whole effort here is to recycle. He said once we have the recycles out you have the organics. He said they will take it through a processing and initially they are not prepared to invest in the equipment to do it because they don't know how much waste they are getting and what kind of waste they are getting. He said it may be 12-18 months to see what is happening. He said once we know that we know how much waste is coming and we can size the equipment appropriately to process the waste. He said the processing will sort out the things to keep and chop up and reduce water out of what we don't want. This is a fuel source now and there are basically 0 wastes. He said there will be very little waste and it will be taken off to another site. He said if anything changes they will be right back in here proposing a change, they can't do anything without approval.

The President said at this time as this process comes along you may look at other people to bring in from other counties, recyclables.

Scott Anslinger said yes, and they have already been contacted from individuals in other counties and they are already collecting recyclables. He said they would pick those up, much like they handle them now; they will not turn it down. He said that it will be brought in the sealed containers and this would be only recyclables. He added that in this facility there are only recyclables there is no trash in there at all.

Rhonda Laughlin reiterated the problem with the trash.

Karen Carter lives at 484 Owensboro Road. She said that where her house is the landfill is by it and there is currently woods. Her question is when they build this will they take away the woods, will there be containers sitting out there, and will this make their property value go down.

Jordan Aigner said he doesn't know about property values but there are a lot of waste processing centers in Indiana and the current zoning is an "M-2" landfill and his thoughts of the property value is that it will remain the same. He added that her concern about the trees will not be a problem because they want to keep as much as a buffer as possible and they aren't proposing to remove any trees but small shrubs on the eastern side that are internal to the property, nothing external. He said on the Pelzer Road side they plan to put berming up and trees to create more buffers. He said that they do not plan to even get close to where she is talking about at this point. He said if anything changes they would have to come back.

The President said both facilities that he is seeing is in the 49 acres being zoned on Pelzer Road, he said the 209 that goes over to Owensboro, there are no structures at this point.

Jordan Aigner said the goal is to keep everything cohesive and go from an "M-2" and the "M-3" happened and they didn't realize it. He said the plan is to keep it all the same and if they find a reason to change something in the future they will be back.

Brad Overton said that with containers they will all be inside correct.

Jordan Aigner said yes for his facility everything has to be inside. He said for Scotts building there might be a few empty roll off containers due to not having enough storage to put those in. He said there may be a need in the future to add storage but for now it will just be how it always has been.

Matthew Samples at 444 Owensboro Road had a concern on the size of the facility they are going to install. He asked if it will be one large facility or a multiple of two. His other concern was any water runoff and if it will be internally stored or externally stored where the potential for mosquito breeding habit exists.

Jordan Aigner said good question and they have to have a retention basin for any impervious area they are adding. He said they are adding two buildings that are right next to each other. He said the first building is 200x200 and the second is about 100x100. He said those are right up where the flat part is. He said they will create a retention basin and it will hold that entire run off. He said it may be released internally to the sight but it will then go through its natural drainage patterns that it has for years.

The President said the retention basin is showing to the south of those facilities. He said it would be between the existing site and where the new buildings will be.

Matthew Samples said his other concern is that his property doesn't adjoin to this but the current zoning changes they are requesting, he feels not only effects adjacent properties but everyone in the neighborhood. He said that the smell, additional traffic, trash, etc. He said despite all efforts

of the highway department, the gentlemen that come out and cut the grass has no regard they just cut whatever is there. He said he understands this isn't anyone's issue here but it is an issue that needs to be taken care of.

Jordan Aigner said everyone has our numbers now and they will operate this just like any other business they would have. He said they will have their signs out and if the county highway department isn't doing the job that you see fit with the trash then to call one of us and we will be held responsible. He said they will get it cleaned up and take care of that problem.

Tim Hart at 366 Owensboro Road asked about the retention pond and wants to know if it will be ran through a wetland.

Jordan Aigner said that Scott will not have hardly any residue of trash because it will all be recyclables. He said the worse thing would be what is in a green bean can or something. He said they will have waste. He said that IDEM requires him to have a concrete surface and drains that collect any kind of water or residue that comes out. He said then it goes outside the building into a tank. He added that it will be pumped out and taken to the sewage plant.

Tim Hart asked how often this will happen.

Jordan Aigner said this will be underground with a snout system so that the odor cannot get out and it will be a typical plumber's trap type technology.

Cathy Scherzinger asked who owns this property.

Jordan Aigner said the county owns the property. He said the reason there are two people talking is because the district is a separate entity of the county Solid Waste District. He said Scott is the super-intendant and is leasing a portion from the county and he said that he represents the other part that is leasing the other part of the property. He said there are one owner, all county and two leases.

William Deal said he had a couple of questions if the ownership changes overtime. He said he does not understand all of the zoning ins and outs but he wants to know once the other 209 acres are rezoned, will they have to come before this Board.

Jordan Aigner said anything that is done with respect to, transfer station, processing facility, and landfill has to go to IDEM. He said that anyone else would have to do the same process.

William Deal asked if they have to come to this Board. He said that the local county Board will be more sympathetic to the local neighborhood needs rather than the Indiana Board. He said so his question is why we would rezone the 209 acres at this time and take it out of your hands when you only need the 49 acres at this time. He said he would rather do that so that if something comes up down the road, everyone is noticed again and it is seen by this Board.

Jordan Aigner said when they are utilizing a property, if they wanted to go over there and store some trucks or anything they couldn't unless it was all rezoned. He said any use they have to do, they want the ability to be able to store things and plan things accordingly.

Brad Overton added that if they ever wanted to rezone they would have to come back to this Board.

William Deal asked if they want to do a landfill zone.

Jordan Aigner said that is was at "M-2" and now its "M-3" and that he would have to look into it and see what options are allowed in there. He said they already talked about the landfill and that they aren't planning on doing anything there. He said the other thing is a processing facility, a recycling facility. He said as they process that waste, they are looking to expand and purchase equipment. He said they would have to go through this process again to add another line of equipment.

William Deal asked if that would be so bad to protect the land owner's interest, not from you, but from a future owner.

Jordan Aigner said that this ties our hands to make any expansion or plan.

Mrs. Rector added that the specific type of facility and development plan cannot be changed from one designated approved use to any another listed permitted use under this ordinance and it has to go by the development plan they have submitted. She said that they have to supply us with the IDEM Permit. She added that if any solid waste disposal facility is approved and in operation with the operation ceasing for any reason for a period more than 3 consecutive months or the subject property changes ownership and or applicant, the land involved in the zoning change is inactive and development plan approved shall revert to its former zoning district as provided herein unless a new application is filed with the public notice given as required by law and approved by the Planning Commission, the land and structures there on shall be subject to our regulations and limitations of the zoning district. She told him it would have to come back.

William Deal said thank you. He also reiterated the problem with the trash to Scott.

Conversation continued about trash again.

The President asked for any other questions or remonstrators.

Karen Carter came back to the podium and asked if the 49 acres that they are talking about is on Pelzer and Mt. Gilead Road.

The President said no its north of the present facility, which is just a little beyond the top of the hill.

Karen Carter then asked about the other 200 acres.

The President said that it's from Mt. Gilead Road up to Owensboro Road. He said it is where the whole landfill used to be.

Karen Carter said that if all of this is approved tonight and they want to bring in some trucks and tear down all of the woods, then they can.

The President said that the woods could be torn down at any time; it doesn't have anything to do with zoning.

Karen Carter said but if the permit is not given to do what they want to do, then if the woods got torn down it would just be flat land.

Jordan Aigner said that when he goes to IDEM they want to see if you are working with your neighbors and property owners. He said that he will lay out a buffer with any change he does. He said its part of his permit to show a buffer and they will make sure that is done. He said with permitting this, it would actually protect you more.

Karen Carter said she is worried about when she goes to sell the house.

Jordan Aigner said it doesn't do any good to take away all the trees. He said that is a natural buffer for both parts.

Mrs. Rector said that by Jordan saying this in the meeting and being a part of the development plan, the trees must stay as he has stated.

Attorney Doll said that it is a commitment.

Jeff Selby at 988 South Pelzer reiterated the problem with the trash. He added that he doesn't feel much comfort with, "you call and we will clean it up". He asked why it took this for this to come to attention. He also asked the length of the lease.

Scott Anslinger said 40 years and Jordan Aigner said 99 years.

Jeff Selby said there needs to be some kind of concrete plan to keep the trash cleaned.

Lisa Key said she would like to address the speed limit on Pelzer Road. She said it's been a couple of years since they increased the speed from 35 to 45. She said that increases the amount of trash that blows out of vehicles. She said a lot of driveways along there are hidden and she was hit broad side turning into her driveway because a car popped the hill and tried passing as she was turning left into her driveway. She added that they have children in the neighborhood and that if there are semis coming down that road it would increase the danger.

The President said all of these concerns are good but the trash and speed limit concerns, etc. need to be addressed at the County Commissioners meeting at 4:00. He said we do not enforce speed limits or anything like that. He said as the gentleman just said this should have been brought up before now and that it needs to be addressed to the Commissioners. He added that it has been trashy out there for a long time. He said he understands all of the concerns but this Planning Commission is strictly zoning.

Lisa Key said that this should be in consideration with the zoning.

The President said that he is leading them in the right direction to where these problems should be addressed.

Rhonda Laughlin asked with the "M-3" zoning, what other type of facilities this will open up with the zoning being changed.

Mrs. Rector said nothing besides what they are proposing tonight. She said if they wanted to open up a landfill for example in 6 months then we would be right back here. She said they can do nothing else but what already exists and what they are proposing tonight.

Rhonda Laughlin said changing to the "M-3" zoning...

Mrs. Rector said that is correct, it goes by a development plan. She added that it is not like a regular zoning, where you zone to Commercial and you can put anything in there that is listed. She said an "M-3" is by a use and development plan.

The President said this is for that protection. He said this is centralized in the actual project.

Brad Overton said that as far as trash, mattresses, etc. Don Williams might be able to answer that.

Don Williams said to call Scott Anslinger, he said he already told him to take care of it.

The President asked for any other questions from the Board members. Being none he asked if the petitioners had anything to add.

The President said that this is a recommendation to the Board of County Commissioners at 4:00 and it will go regardless of whatever recommendation, and the Commissioners are not bound by any recommendation they make. He said they are the first hearing of a two hearing process making a recommendation as to each of these. The President entertained a motion.

Jeff Valiant made a motion to recommend approval for PC-R-15-03; the motion was seconded by Amanda Mosiman and unanimously continued.

The President entertained a motion for PC-R-15-04.

Amanda Mosiman made a motion to recommend approval for PC-R-15-04. The motion was seconded by Bill Byers and unanimously carried.

The President said this will go to the County Commissioners with a favorable recommendation on both on March the 9th at 4:00 p.m. in this room.

ATTORNEY BUSINESS: Attorney Doll said they have two, forth coming hearings and violations. He said it is the Wolf property on Lincoln Ave and Jamestown on the 18th. He said it's also the Asher property. He said the last hearing the judge gave them one final 30 day clean up period and it expires the 12th. He said if it is not cleaned up then the judge has indicated that he will have the County clean it up and fine them additionally. He added that he will report back on the next meeting.

EXECUTIVE DIRECTOR BUSINESS:

Planner Position

Mrs. Rector said that she wants to get approval from this Board to approach each County Council member. She said as you know they cut one of our planner positions and gave a part time position. She said she is now faced with Jamie that is due with twins in August and Shelia will have to have another surgery in June. She added that this leaves her and Molly. Mrs. Rector said she wants to ask them to do is to transfer the money from the part-time position to the planner 3 position and allow the part time employee to work full time. She added that Jamie will not be returning and she needs to get this person trained because after July/August she will be gone and there will be an open position anyway. She said it will be just a few months but she needs this employee learning all the time now. She said this summer Sheila will be off and Jamie could be gone sooner than expected. She said she is not asking for any more money. She said she has talked to Krystal with the County Council and the County Council has ruled they will not have personal committee meetings with anyone over things like this until budget time. She said

her suggestion was to talk to each individual council member. She said and then you will just have to ask to be on the agenda and ask for the permission of the transfer of funds. She said she wants their permission first.

The President said they all agree this is a good idea.

Jeff Valiant made a motion to allow Sherri to go after transfer of funds to replace employee. Amanda Mosiman seconded the motion and was unanimously carried.

Brad Overton asked when this person would come on board.

Mrs. Rector said the employee is working part-time now and just needs to be moved to full time to be trained.

The Board was in agreement this would be fine to do.

Bill Byers made a motion to adjourn the meeting. The motion was seconded by Richard Reid and unanimously carried.

Being no other business the meeting adjourned at 7:23 p.m.

Guy Gentry, President

ATTEST:

Sherri Rector, Executive Director